

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of Applicants:

Ali Afzali-Ardakani et al.

Date: September 24, 2003

Group Art Unit: 1626

Serial No.: 10/057,024

Examiner: D. C. Lambkin

Filed: January 25, 2002

Docket No.: YOR920000442US2

For: SYNTHESIS OF SOLUBLE DERIVATIVES OF SEXITHIOPHENE AND
THEIR USE AS SEMICONDUCTING CHANNELS IN THIN-FILM
FIELD-EFFECT TRANSISTORS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AFFIDAVIT UNDER 37 CFR 1.132

I, Stephen L. Buchwalter, being duly sworn, hereby depose and state:

I received a B.A. Degree in Chemistry from the College of Wooster and a Ph.D. Degree in Organic Chemistry from Harvard University.

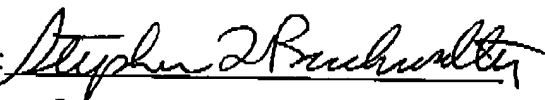
I have worked as a research staff member and manager in electronic packaging and polymer research and development at the Thomas J. Watson Research Center of the International Business Machines Corporation in Yorktown Heights, New York, from 1985 to the present. (See attached Exhibit A for other professional employment history.)

I have reviewed the above identified patent application and the Examiner's statement from the Office Action dated May 19, 2003.

"The specification lacks adequate support and enablement for all polar functionalities and only gives a few examples which is not seen how this cannot be extrapolated to all polar functionalities without reasonable evidence that all would work as claimed, especially in light of the fact that the behavior of a given chemical group in certain or particular environments are usually unpredictable. Hence, it would require undue experimentation for one of ordinary skill in the art at the time the application was filed to find out which polar functionalities other than those disclosed would work as claimed. As a result, the enablement for this term is not commensurate in scope to the claims as recited."

Adding polar groups not specifically identified in the above identified application to the claimed Sexithiophene is a matter of routine experimentation using well known chemical procedures.

I hereby swear that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements made jeopardize the validity of the application or the patent issued thereon.

By: 

Dr. Stephen L. Buchwalter

State of New York)ss.:
County of Westchester)

On this 24th day of September, 2003, before me personally came Dr. Stephen L. Buchwalter to me personally known, and known to me to be the person described in and who executed the foregoing assignment, and he acknowledged to me that he executed the same as his free act and deed.


Notary

DANIEL P. MORRIS
NOTARY PUBLIC, State of New York
No. 4888876
Qualified in Westchester County
Commission Expires March 16, 2005

ATTACHMENT A

Biography for Stephen L. Buchwalter

Stephen Buchwalter received his PhD in organic chemistry from Harvard University. Since coming to IBM Research as a Research Staff Member in 1985, he has been primarily involved in research and development on materials and processes for microelectronics, in particular with polyimide and epoxy materials for semiconductor packaging. He is the holder of more than 35 U.S. patents, the author of more than 15 research publications, and is the recipient of three IBM Outstanding Technical Achievement Awards. He is currently Senior Manager of Packaging Technology at IBM's Thomas J. Watson Research Center.

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Date: January 23, 2004

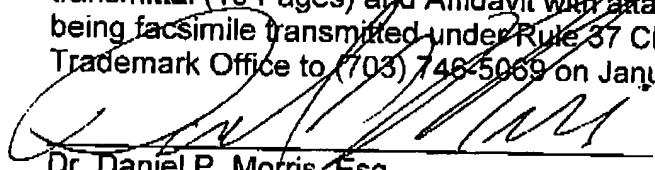
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify Letter (1 Page) and Re-Faxed Response to Office Action and fax transmittal (10 Pages) and Affidavit with attachment (3 Pages) (Total 14 Pages) are being facsimile transmitted under Rule 37 CFR 1.61(d) to the U.S. Patent and Trademark Office to (703) 746-5069 on January 23, 2004.


Dr. Daniel P. Morris, Esq.
Reg. No. 32,053**LETTER**

The attached response of Applicants is being re-faxed to the Examiner at the Examiner's request on January 20, 2004 to fax number 703-746-5069

Respectfully submitted,

By: Dr. Daniel P. Morris, Esq.
Reg. No. 32,053
Phone No. (914) 945-3217IBM Corporation
Intellectual Property Law Dept.
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